



**SENATOR GREG GREGORY**  
**SPRING LEGISLATIVE REPORT**

At this point in the second half of the 2013-14 legislative session we are several weeks behind due to a later than normal start and days lost to snow. Those who agree with Mark Twain that "no man's life or liberty is safe when the legislature is in session" will not feel shortchanged by this.

Since it is the second year of the session there are many bills in play. It is also an election year for every state and federal office except the SC Senate, so that augments the intensity of the State House. Despite the missed days and election year posturing, though, we've managed to move some good bills and have others close to the goal line. Hopefully, more successes will be in hand before the session ends on June 5. Here's what's in play this year:

**TXTN & DRVN:** SC and Montana are the last two states without a law prohibiting texting while driving. Both the House and the Senate have passed bills, but differences must be worked out for us to get a law on the books. Meanwhile, cities across the state are passing their own ordinances banning the practice. This is leading to a confusing patchwork of laws, so there is even greater pressure on legislators to finally get a bill enacted to ensure there is uniform law across the state.

**Reformation Overcomes Procrastination:** After a decade of debate and defeat, proponents of the restructuring of SC's gov't finally were able to chalk one up in the "W" column this year. A bill to transfer executive

power from the Budget and Control Board to the governor's office, its rightful place, was finally approved. For years SC has been known as the "legislative state" because members of the General Assembly both passed laws and involved themselves in their execution. This has resulted in "too many cooks in the kitchen" for gov't to be effectively administered. With passage of restructuring, the governor's office will now oversee more of the day-to-day functions of state government like managing IT, state vehicles, and state-owned buildings. The legislation will also prohibit state agencies from running deficits without legislative approval. In addition, it requires legislators to review all state agencies every five years.

**Life In The Slow Lane:** There's little more frustrating than getting stuck behind dimwit drivers dawdling in the left lane. A bill was filed this year seeking to put a needed charge in these folks by allowing two point fines for driving five miles an hour under the speed limit in the left lane.

**Sunshine State:** One of my top initiatives this year is to make SC a more friendly state to solar power. We greatly lag behind our neighbors, NC and GA, in implementation of solar. Much of this is due to the antiquated way in which we view and regulate it. A bill I introduced last year would allow homeowners, small businesses, churches and schools to lease solar panels from private companies and sell the power they don't use back to utility companies such as Duke Energy. This practice, called net metering, makes solar much more affordable and boosts energy independence. After some reluctance, utility companies operating in SC have come on board and helped facilitate a bill that should soon pass in the Senate. Hopefully the House will concur.

**Intruder Alert:** The Senate has passed a bill requiring the public to be notified of a data breach at a state agency within 72 hours of an occurrence. The notice must provide a clear description of the incident in general terms and a telephone and website address

citizens can contact for more information.

**Read Up:** Several initiatives focused on improving the reading level of 3rd graders have garnered traction this year. Gov. Haley unveiled an education improvement package early in the year to increase funding for reading coaches. The Senate followed suit with legislation designed to do some of the same things, and also hold back 3rd graders who don't read at a certain level by the end of the school year.

**Common Core** has also received much attention and debate in the Senate. The controversial curriculum and testing under the program will likely be put on hold until further review of it can be completed.

**Highway Song:** If there were a country song about SC's roads, it would be a downer full of remorse over our unfortunate circumstances. And, as with many songs in this genre, the singer has only himself to blame. While our road system has expanded to become the 4th largest in the nation, the revenues needed to fund it have declined. SC's tax on gasoline has remained constant at 16.75 cents per gallon since 1988 (3rd lowest in the USA). The federal tax of 18.4 cents has been unchanged since 1993. Cars get 40% better MPG today than a generation ago, so there is a lot less revenue coming in compared to miles being driven. That, in a nutshell, is largely why our roads are disintegrating. As Delaware Gov. Jack Markell recently remarked, "there's no business in the world that can be successful with expenses that grow with inflation and revenues that don't."

Last year legislators appropriated \$141 million from the general fund to augment road maintenance. That is far short of the \$1 billion in addition to revenue from fuel taxes we need each year to bring our roads up to "good" condition. This year the House did nothing to increase road funding. It remains to be seen what the Senate will do in its budget. A bill to raise revenue by increasing certain fees failed earlier this year. What is required is consistent additional

funding from the general fund plus a phased-in fuel tax increase. I'll use the case of Lancaster County to show why, although the following ratios would apply to most any county in the state.

There are 897 miles of state and federal maintained roads in Lancaster County. Of those, 762 are deemed to be in need of rehabilitation or reconstruction. The county receives 2.66 cents of the gas tax, or \$1.25 million per year (C funds) to be appropriated by its local transportation committee (CTC). Around \$1.75 million per year is spent on roads in the county from state and federal sources. The cost of asphalt has increased 100% in the last decade, so it now costs an average of \$325,000 to resurface one mile of road. Therefore, we get enough in funds each year to resurface just over 9 miles of the 762 in need (1.18%). If you are scoring at home, that math works out to an 84 year cycle. To get on a 20 year cycle of resurfacing would require \$14.6 million per year, or an increase of almost 500%. Clearly, the problem is dire. Lancaster County will attempt to partially address it on its own by asking citizens to vote to roll over the sales tax currently going to the court house once that building is paid for.

If voters agree to roll over the tax and apply it to road maintenance, Lancaster could implement a program similar to York's Pennies for Progress. That program has produced the best road system of any county in SC, but that's like bragging one has the biggest Chihuahua in the state. No one wants to pay more taxes, but more revenue must be garnered to arrest the rapid deterioration of our roads. Doesn't it make sense to capture some of that revenue from North Carolinians shopping in SC, and crowding gas pumps exploiting the 24 cent per gallon difference in fuel taxes? After all, 40% of Pennies for Progress funds come from non-York County residents. What are your thoughts? My contact information is below.

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